

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

I. STATUS OF THE CLAIMS

Claims 6, 7, 11, 12, 15, 23 and 24 are cancelled herein without prejudice or disclaimer.

Claims 1, 13, 16 and 19 are amended herein.

New claims 25-27 are added.

In view of the above, it is respectfully submitted that claims 1, 2, 4, 5, 8-10, 13, 14, 16-22 and 25-27 are currently pending and under consideration.

II. REJECTION OF CLAIMS 7, 11, 12, 15-17, 23 and 24 UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 7, 11, 12, 15, 23 and 24 are cancelled herein without prejudice or disclaimer.

Claims 16 and 17 are amended herein.

In view of the above, it is respectfully submitted that the rejection is overcome.

III. REJECTION OF CLAIMS 1, 2, 4, 5, 7, 10 11, 13-16 AND 18-23 UNDER 35 U.S.C. § 102(B) AS BEING ANTICIPATED BY GOTO ET AL. (JP 62-267985)

The present invention as recited in claim 1 (as amended herein), for example, relates to a disk cartridge comprising "a single transparent window member attachable to and detachable from the case to allow an external light to access opposing surfaces of the disk in the case through the single transparent window member."

Goto discloses an optical disk media device having two separate attachable/detachable window members 13 and 14, which are made by respectively pasting transparent films 17 and 18 thereto (see page 6, lines 16-17).

However, the optical disk media device of Goto is not the same as the claimed disk cartridge of the present invention. Moreover, the optical disk media device of Goto is provided with two separate attachable/detachable window members 13 and 14, which is different from the claimed disk cartridge provided with a single transparent window member.

Further, with regard to the teachings of Goto, a lens has to access opposing surfaces of a disk 11 through both windows 13 and 14, which differs from the present invention. That is, in the present invention, a single transparent window member allows an external light to access

opposing surfaces of a disk through the single transparent window member as recited in claim 1. This feature is not disclosed or suggested by the teachings of Goto. Therefore, it is respectfully submitted that Goto does not disclose the features recited in claim 1 of the present invention.

Similar to claim 1, claim 13 (as amended herein) recites "a single transparent window member provided in a disk cartridge having a case to contain a disk, wherein the single transparent window member is attachable to and detachable from the case and allows an external light to access opposing surfaces of the disk in the case through the single transparent window member," which distinguishes over the cited prior art.

Claim 19 (as amended herein) recites that the "single transparent window member is attachable to and detachable from the case to allow an external light to access opposing surfaces of the disk in the case through the top and bottom surfaces of the single transparent window member," which distinguishes over the cited prior art.

Claims 2, 4, 5, 10 and 18, claims 14 and 16, and claims 20-22 depend from claims 1, 13 and 19, respectively. Thus, for at least the reason that claims 1, 13 and 19 distinguish over the cited prior art, it is respectfully submitted that claims 2, 4, 5, 10, 14, 16, 18 and 20-22 also distinguish over the cited prior art.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. REJECTION OF CLAIMS 7-9, 11, 15-17 AND 23 UNDER 35 U.S.C. § 103(A) AS BEING OBVIOUS OVER GOTO ET AL.

Claims 7, 11, 15 and 23 are cancelled herein without prejudice or disclaimer.

Further, the comments in section III above, apply here because claims 8 and 9, and claims 16 and 17 depend from claims 1 and 13, respectively. Thus, for at least the reason that claims 1 and 13 distinguish over the cited prior art, it is respectfully submitted that claims 8, 9, 16 and 17 also distinguish over the cited prior art.

In view of the above, it is respectfully submitted that the rejection is overcome.

V. REJECTION OF CLAIMS 6, 12 AND 24 UNDER 35 U.S.C. § 103(A) AS BEING OBVIOUS OVER GOTO ET AL. IN VIEW OF HAGIWARA (JP 1-315085A)

Claims 6, 12 and 24 are cancelled herein without prejudice or disclaimer.

In view of the above, it is respectfully submitted that the rejection is overcome.

VI. NEW CLAIMS 25-27

Similar to claim 1, claim 25 relates to a disk cartridge and pickup assembly, comprising "a single transparent window member attachable to and detachable from the case to allow the pickup to access opposing surfaces of the disk in the case through the single transparent window member," which distinguishes over the cited prior art.

Claims 26-27 depend from claim 25. Thus, for at least the reasons that claim 25 distinguish over the cited prior art, it is respectfully submitted that claims 26-27 also distinguish over the cited prior art.

In view of the above, it is respectfully submitted that claims 25-27 patentably distinguish over the cited prior art.

VII. CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that each of the claims patentably distinguishes over the prior art, and therefore defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowability of all pending claims are therefore respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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